



VIA: USPS First Class  
Shipping Event: 4th

July 17, 2012

Robert and Darlene Lourance  
RR 4 Box 200A  
Duncan, OK 73533-9431

## SETTLEMENT AGREEMENT

### CITATION AND NOTIFICATION OF PENALTY

We believe that you violated the Animal Welfare Act (7 U.S.C. § 2131 et seq.) (AWA), as described below.

#### **Date of Violation: May 12, 2009**

**9 C.F.R. § 3.6(a)(2)(i)** Primary enclosures. You failed to construct and maintain primary enclosures that were free of sharp points and edges.

You failed to repair or replace rusted wiring and metal throughout the facility, and sharp wires that protruded into dog enclosures.

#### **Date of Violation: May 12, 2009**

**9 C.F.R. § 3.11(a)** Cleaning, Sanitization, Housekeeping, and Pest Control. You failed to remove excreta, food and waste from primary enclosures daily and under primary enclosures as often as necessary to prevent an excessive accumulation of feces and food waste.

You failed to remove excessive accumulations of feces, urine, grime, and/or hair from inside and under dog enclosures.

#### **Date of Violation: June 15, 2010**

**9 C.F.R. § 2.40(b)** Attending veterinarian and adequate veterinary care (dealers and exhibitors). You failed to establish and maintain a program of adequate veterinary care and daily observation of all animals to assess their health and well-being.

You failed to provide adequate veterinary care for the following animals:

- 1) A female bulldog with red eyes and an accumulation of discharge;
- 2) A male terrier with redness and an accumulation of discharge in his eye;
- 3) A female French bulldog with a neck wound;
- 4) A female Chihuahua with a discolored, protruding eye;
- 5) A female Chihuahua with darkened, brownish teeth;
- 6) A dog with swollen, inflamed front paws;
- 7) A female dog whose paw was swollen and red and whose nail appeared to be infected;
- 8) A male with a skin laceration on his hind leg;



- 9) A female pug whose ear was reddish and had open wounds;
- 10) A female dog with hair coat loss; and
- 11) Several dogs with matted hair coats.

**Date of Violation: June 15, 2010**

**9 C.F.R. § 3.1(c)** Housing facilities, general. You failed to construct the facilities in a manner that allows them to be readily cleaned and sanitized, or removed or replaced when worn or soiled.

You failed to repair or replace rusted wiring and metal material throughout the facility; chewed, holed and/or discolored feeding receptacles, and; worn, soiled, scratched, and chewed wood and wood entrances.

**Date of Violation: June 15, 2010**

**9 C.F.R. § 3.6(a)(2)(i)** Primary enclosures. You failed to construct and maintain primary enclosures so that they enable all surfaces in contact with dogs and cats to be readily cleaned and sanitized and that the surfaces have no sharp points or edges.

You failed to replace or repair broken wires and sharp nails that protruded into dog enclosures.

**Date of Violation: June 15, 2010**

**9 C.F.R. § 3.11(a)** Cleaning, Sanitization, Housekeeping, and Pest Control. You failed to remove excreta, food and waste from primary enclosures daily and under primary enclosures as often as necessary to prevent an excessive accumulation of feces and food waste.

You failed to remove excessive accumulations of feces, urine, grime, and/or hair from inside and under dog enclosures.

**Date of Violation: June 15, 2010**

**9 C.F.R. § 3.11(d)** Cleaning, Sanitizing, Housekeeping, and Pest Control. You failed to create an effective program for the control of insects and external parasites affecting dogs.

APHIS officials observed insects inside dog feeders, enclosures, and around the facility.

**Date of Violation: November 19, 2010**

**9 C.F.R. § 2.40(b)** Attending Veterinarian and adequate veterinary care (dealers and exhibitors). You failed to establish and maintain programs of adequate veterinary care that included daily observation of all animals to assess their health and well-being.

You failed to provide veterinary care for the following animals:

- 1) A French bulldog with hair loss, red skin, and open wounds;
- 2) A white female Maltese whose left eye is swollen, red, and has some discharge;
- 3) A Yorkie with hair loss and bumps on the skin;



- 4) An adult male with a drainage and/or discharge issue around both eyes; and
- 5) Dogs with excessively long toenails.

**Date of Violation: November 19, 2010**

**9 C.F.R. § 3.1(c)** Housing facilities, general. You failed to construct and maintain housing, dens, and other furniture type fixtures and objects within the facility in a manner that allows them to be readily cleaned and sanitized, or removed or replaced when worn or soiled.

You failed to repair or replace wire units, metal frames, wooden surfaces, entrances and frames that were worn, soiled, scratched, rusted, and/or chewed.

**Date of Violation: November 19, 2010**

**9 C.F.R. § 3.11(a)** Cleaning, Sanitization, Housekeeping, and Pest Control. You failed to remove excreta and food waste from primary enclosures daily and from under primary enclosures as often as necessary to prevent an excessive accumulation of feces and food waste.

You failed to remove excessive accumulations of hair, feces, urine, grime, and/or other waste from inside and under enclosures housing dogs.

**Date of Violation: April 5, 2011**

**9 C.F.R. § 2.40(b)** Attending veterinarian and adequate veterinary care (dealers and exhibitors). You failed to establish and maintain programs of adequate veterinary care.

You failed to provide adequate veterinary care for the following animals:

- 1) A male Yorkie that was extremely emaciated, whose backbone, hip, and rib cage were clearly visible;
- 2) A female Maltese with a red, swollen, irritated lesion on the left side of her face; and
- 3) Several dogs with matted hair coats and excessively long toenails.

**Date of Violation: April 5, 2011**

**9 C.F.R. § 3.1(c)** Housing facilities, general. You failed to construct and maintain housing, dens and other furniture type fixtures and objects within the facility in a manner that allows them to be readily cleaned and sanitized, or removed or replaced when worn or soiled.

You failed to replace or repair a raised enclosure that had broken apart, rusted metal and wire throughout the facility, and wooden frames that were worn and soiled.

**Date of Violation: April 5, 2011**

**9 C.F.R. § 3.6(a)** Primary Enclosures. You failed to construct and maintain primary enclosures so that they are structurally sound and enable all surfaces in contact with the dogs to be readily cleaned and sanitized, or be replaceable when worn or soiled.

You failed to remove or replace a shredded tarp dangling into dog enclosures, and repair or replace sharp, exposed nails and a wire panel that protruded into dog



**Date of Violation: April 5, 2011**

**9 C.F.R. § 3.11(a)** Cleaning, Sanitization, Housekeeping, and Pest Control. You failed to remove excreta and food waste from primary enclosures daily and from under primary enclosures as often as necessary to prevent an excessive accumulation of feces and food waste.

You failed to remove excessive accumulations of hair, feces, and/or urine from under enclosures housing dogs.

**Date of Violation: April 5, 2011**

**9 C.F.R. § 3.12** Employees. You failed to have a sufficient number of adequately trained employees to maintain an acceptable level of husbandry practices. Such practices shall be under a supervisor who has knowledge, background, and experience in proper husbandry.

You failed to have a sufficient number of employees to maintain husbandry.

**Date of Violation: November 14, 2011**

**9 C.F.R. § 2.40(b)(3)** Attending veterinarian and adequate veterinary care (dealers and exhibitors). You failed to establish and maintain a program of adequate veterinary care that included daily observation of all animals to assess their health and well-being.

You failed to provide adequate veterinary care for a male French bulldog ("Magnum") who had an open wound/lesion on the right side of his face and thick, crusted discharge which accumulated on the inner surfaces of both of his ears.

**Date of Violation: November 14, 2011**

**9 C.F.R. § 3.1(c)** Housing facilities, general. You failed to construct the facilities in a manner that allows them to be readily cleaned and sanitized, or removed or replaced when worn or soiled. You failed to maintain the surfaces of housing facilities in a manner that allows them to be readily cleaned and sanitized, or removed or replaced when worn or soiled.

You failed to repaint or replace rusted metal wiring, frames, and paneling throughout the facility, and failed to replace or repair five raised units with wooden frames that were chewed, worn, soiled, and scratched to a point that they could not be cleaned and sanitized.

**Date of Violation: November 14, 2011**

**9 C.F.R. § 3.6(a)(2)(i)** Primary enclosures. You failed to construct and maintain primary enclosures that were free of sharp points and edges.

You failed to repair or replace the following:

- 1) A sheltered facility with broken, torn, sharp wiring on the front of the enclosure;
- 2) An enclosure that had unsecured, sharp wire flooring;
- 3) A row of outdoor raised units that had broken wire flooring and holes in the enclosure;
- 4) An outside row of raised units that had wooden frames with sharp, exposed nails and screws.



**Date of Violation: November 14, 2011**

**9 C.F.R. § 3.9(b)** Feeding. You failed to replace self-feeders that have deteriorated.

You failed to replace metal and plastic self-feeders that were chewed around the edges, broken apart, and/or rusted.

**Date of Violation: November 14, 2011**

**9 C.F.R. § 3.10** Watering. You failed to provide clean, potable water to the dogs.

You failed to keep water receptacles clean and sanitized, and free from debris, algae, and dirt.

**Date of Violation: November 14, 2011**

**9 C.F.R. § 3.11(a)** Cleaning, Sanitization, Housekeeping, and Pest Control. You failed to remove excreta and food waste from under primary enclosures as often as necessary to prevent an excessive accumulation of feces and food waste.

You failed to remove an excessive accumulation of grime, hair, and feces underneath the indoor and outdoor enclosures housing dogs.

“The penalty amount for the alleged violations above is \$25,964.